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**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 1761**

Attorney's Docket No. 5540-1ACXCT2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Vandepopuliere et al.

Serial No.: 09/922,824

Filed: August 6, 2001

Examiner: A. Weier

For: **METHOD OF CONTROLLING
SALMONELLA IN SHELL EGGS**

Date: August 19, 2002

Box AF

Honorable Commissioner for Patents
Washington, DC 20231

**SUBMITTAL OF TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b)**

Sir:

Applicant hereby submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321 for the above referenced application. Also enclosed is a check in the amount of \$110.00 [37 C.F.R. § 1.20(d)] to cover the fee for filing a Terminal Disclaimer. The Examiner is authorized to charge Deposit Account No. 50-0220 for any additional fee that may be required or credit any overpayment.

Respectfully submitted,

Karen Magri
Karen A. Magri
Registration No. 41,965

Customer Number:



20792

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box AF, Commissioner for Patents, Washington, DC 20231, on August 19, 2002.

Sloan Hobbs
Sloan Hobbs

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TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Sir:

I, Karen A. Magri, am an attorney of record of the disclaimant, University of Missouri System at Columbia, and am authorized to execute this disclaimer on behalf of University of Missouri System at Columbia. The disclaimant, University of Missouri System at Columbia, an educational institution having a principal place of operation at 509 Lewis Hall Boone County, state of Missouri, is the owner of all right, title, and interest in the above-identified application.


The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Application Serial Nos. 08/769,579, filed December 19, 1996 (now U.S. Patent No. 6,004,603), entitled *Method of Controlling Salmonella in Shell Eggs*, and 09/372,512, filed August 11, 1999, (now U.S. Patent No. 6,303,176) entitled *Method of Controlling Salmonella in Shell Eggs*.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal titles to United States Application Serial Nos. 08/769,579, filed December 19, 1996 (now U.S. Patent No. 6,004,603), and 09/372,512, filed August 11, 1999, (now U.S. Patent No. 6,303,176), this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

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Page 2 of 2

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of United States Application Serial Nos. 08/769,579, filed December 19, 1996 (now U.S. Patent No. 6,004,603), and 09/372,512, filed August 11, 1999, (now U.S. Patent No. 6,303,176), in the event they later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), have all claims canceled by a reexamination certificate, or are otherwise terminated prior to expiration of their statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,


Karen A. Magri
Registration No. 41,965

Customer Number:



20792

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Sloan Hobbs

Date of Signature: August 19, 2002